

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MAY 04 2005

CLERK U.S. DISTRICT COURT  
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER J. LANDER

Defendant.

CASE NO. 05-204M

DETENTION ORDER

Offense charged in the Eastern District of Washington:

CR05-057-FVS Count I: FELON IN POSSESSION OF A FIREARM- Title 18, U.S.C.,  
Section 922(g)(1) and 924

CR05-0069-JLQ Count II and III: CONSPIRACY TO COMMIT BANK FRAUD- Title  
18, U.S.C., Section 1344 and 2

Count IV: BANK FRAUD- Title 18, U.S.C., Section 1344 and 2

Count V: MAIL THEFT- Title 18, U.S.C., Section 1708 and 2

Count VII: INTERSTATE TRANSPORTATION OF STOLEN PROPERTY- Title 18,  
U.S.C., Section 2314 and 2

Date of Detention Hearing: May 3, 2005.

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions, which defendant can meet, will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

The indictments were returned on February 28, 2005 and April 5, 2005. The government argues that the case involves a series of mail fraud and bank fraud in 2002, 2003 and in 2004 moving stolen property interstate. The defendant also admits to daily use of methamphetamine. His family members and girlfriend are also implicated in the mail and bank fraud. Thus, the government

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1 opposes release.

2 Defense argues that the defendant has no criminal history pertaining to crimes of violence,  
3 rather his criminal history mainly consists of traffic offenses. Furthermore, his relationship with his  
4 putative spouse and two children is a close one, thereby mitigating any risk of flight. Defendant also  
5 turned himself into the custody of U.S. Marshals, thus he poses no risk of flight.

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7 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

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9 (1) Primarily, the defendant's criminal history suggests an ongoing criminal activity  
10 since 1989 in both Eastern and Western districts of Washington. This activity  
11 persists despite two lengthy incarcerations on state felonies. Moreover, he has no  
12 stable employment.

13 (2) His putative spouse is also implicated in the April 5<sup>th</sup> indictment as protecting him  
14 from capture or detection by law enforcement and he appears to have no stable  
15 residence apart from her.

16 Thus, defendant will be detained as posing a risk of flight and danger to the community.

17 It is therefore ORDERED:

18 (1) Defendant shall be detained pending trial and committed to the custody of the  
19 Attorney General for confinement in a correctional facility separate, to the extent  
20 practicable, from persons awaiting or serving sentences, or being held in custody  
21 pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
23 counsel;

24 (3) On order of a court of the United States or on request of an attorney for the  
25 Government, the person in charge of the correctional facility in which defendant  
26 is confined shall deliver the defendant to a United States Marshal for the purpose

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1 of an appearance in connection with a court proceeding; and

2 (4) The clerk shall direct copies of this order to counsel for the United States, to  
3 counsel for the defendant, to the United States Marshal, and to the United States  
4 Pretrial Services Officer.

5 DATED this 3rd day of May, 2005.

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8 MONICA J. BENTON  
9 United States Magistrate Judge  
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